UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT GREENEVILLE

PAMELA SUE HORNE,)	
Plaintiff,)	
v.)	2:22-CV-69-JEM
KILOLO KIJAKAZI, ¹)	
Acting Commissioner of Social Security,)	
Defendant.)	

ORDER OF REMAND UNDER SENTENCE FOUR OF 42 U.S.C. § 405(g)

Before the Court are the parties' Joint Motion for Entry of Judgment with Remand under Sentence Four of 42 U.S.C. § 405(g) [Doc. 16], as well as Plaintiff's Motion for Summary Judgment [Doc. 13]. For the reasons stated herein, the joint motion for entry of judgment with remand [Doc. 16] will be GRANTED and Plaintiff's summary judgment motion [Doc. 13] will be DENIED AS MOOT.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the parties' joint motion to remand this action, this Court now, upon substantive review, hereby enters a judgment under sentence four of 42 U.S.C. § 405(g), reversing the Commissioner's decision with a remand of the cause to the Commissioner according

Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 405(g) of the Social Security Act, 42 U.S.C. § 405(g).

to the following terms. *See Shalala v. Schaefer*, 509 U.S. 292, 296 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 97–98 (1991).

Upon receipt of the Court's remand order, the Appeals Council of the Social Security Administration **SHALL REMAND** the case for further administrative proceedings. On remand, the agency will take further administrative action, including giving further consideration to the evidence, taking any further action needed to complete the administrative record, and issuing a new decision.

Accordingly, the parties' Joint Motion for Entry of Judgment with Remand under Sentence Four of 42 U.S.C. § 405(g) [Doc. 16] is hereby **GRANTED**, and Plaintiff's Motion for Summary Judgment [Doc. 13] is hereby **DENIED AS MOOT.** A separate judgment will enter.

IT IS SO ORDERED.

ENTER:

Jill E. McCook

United States Magistrate Judge